

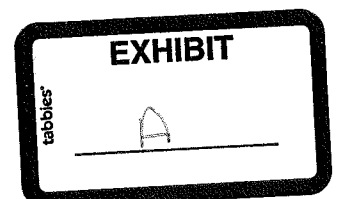
IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

|                                  |   |                   |
|----------------------------------|---|-------------------|
| IN RE:                           | § |                   |
|                                  | § |                   |
| PASADENA SELF-STORAGE, LTD.,     | § | CASE NO. 10-33790 |
|                                  | § | (Chapter 11)      |
| DEBTOR.                          | § |                   |
| <hr/>                            |   |                   |
| CITY NATIONAL BANK, Successor in | § |                   |
| Imperial Capital Bank,           | § |                   |
|                                  | § |                   |
| MOVANT,                          | § |                   |
|                                  | § |                   |
| VS.                              | § | CONTESTED MATTER  |
|                                  | § |                   |
| PASADENA SELF-STORAGE, LTD.,     | § |                   |
|                                  | § |                   |
| RESPONDENT.                      | § |                   |

**MOVANT'S REQUEST FOR PRODUCTION OF DOCUMENTS TO  
RESPONDENT, PASADENA SELF-STORAGE, LTD.**

TO: Pasadena Self-Storage, Ltd., by and through their attorney of record, Mr. Patrick D. Devine, 5120 Woodway Dr., Suite 8002, Houston, TX 77056

PLEASE TAKE NOTICE THAT, under Rule 7034 of the Federal Rules of Bankruptcy Procedure and Rule 34 of the Federal Rules of Civil Procedure, City National Bank ("CNB") serves its Request for Production of Documents to Defendant, Pasadena Self-Storage, Ltd. ("Pasadena"). Please also take notice that your answers to these Requests for Production must be made separately and fully, in writing, and on the basis of all information available to you by 5:00p.m. on June 30, 2010 at the offices of Hirsch & Westheimer, PC, 700 Louisiana, Suite 2550, Houston, Texas 77002.



Respectfully submitted this 17th day of June, 2010.

HIRSCH & WESTHEIMER, P.C.

By: /s/ Michael J. Durrschmidt

Michael J. Durrschmidt

Texas Bar No. 06287650

700 Louisiana, Floor 25

Houston, Texas 77002

Telephone: 713-220-9165

Facsimile: 713-223-9319

E-mail: [mdurrschmidt@hirschwest.com](mailto:mdurrschmidt@hirschwest.com)

Attorneys for City National Bank

## **DEFINITIONS AND INSTRUCTIONS**

### Definitions:

1. The terms “document,” documents,” or “documentation” mean any written recorded or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or a copy, including, but not limited to, the following: memoranda, reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, promissory notes, extension and renewal agreements, interoffice and intra-office communications, contracts, e-mails, text messages, “tweets”, cables, notations of any sort of conversation, telephone call, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, rejections, comparisons, messages, correspondence, financial statements, reviews, opinions, offers, studies and investigations, and worksheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including, without limitation, photographs, charts, graphs, microfiche, microfilm, video tape, recordings and motions pictures) and electronic, mechanical and electric records or representation of any kind, (including, without limitation, tapes, disks, and recordings) and other written, printed, typed or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, or video tape.
2. The term “or” means “and/or.”
3. “Debtors” shall mean Pasadena Self-Storage, Ltd. in case no. 10-33790, filed in the United States Bankruptcy Court for the Southern District of Texas-Houston Division.
4. “Pertaining to” or “Concerning” as used herein means concerning, including, evidencing, managing, referring, or relating, indirectly or directly, to the specific subject matter or any aspect or portion thereof.
5. The singular form of a noun or pronoun shall be considered to include within its meaning the plural form of the noun or pronoun so used, and vice versa.
6. The word “or” is inclusive, referring to any one or more of the disjoined words or phrases, and “any” and “all” also include “each and every.”
7. “You” or “your” means Pasadena Self-Storage, Ltd.

Instructions:

1. Singular and masculine forms of any nouns or pronouns shall embrace and be applied as the plural or as the feminine or neuter, as appropriate to the context, and vice-versa.
2. Each category following is to be construed and responded to independently and not to be referenced to any other item herein for purposes of limitation.
3. Documents produced pursuant to this Request should be tendered either in the precise form or manner as they are kept in the usual course of business or organized and labeled to correspond with the categories which follow in this Request.
4. If any party named hereinabove has ever had any of the documents referred to herein in his possession, custody, or control, but does not now, that party is requested to state the following with respect to each such document:
  - a. The present location thereof, if know, or all reasons why the party cannot or does not know the location thereof;
  - b. The date each such document left the possession, custody, or control of the party;
  - c. The reasons why each such document is not now in the possession, custody, or control of the party; and
  - d. The names and addresses of all persons having knowledge about the matters inquired about in the immediately preceding paragraphs (a) through (d).
5. If any document requested herein has been destroyed, you are requested to describe in detail the circumstances of and reasons for such destruction and to produce all documents which relate to either the circumstances or the reasons for such destruction.
6. If any document requested herein is withheld under the claim of privilege, or is not produced for whatever reason, you are requested (1) to state with specificity the claims of privilege or other reasons used to withhold production, and (2) to identify each document by date, author and subject matter, without disclosing its contents, in a manner sufficient to allow it to be described to the Court for ruling on the privilege or other reason asserted. You are further requested to produce those portions of any such document which are not subject to a claim of privilege or other reason for nonproduction by excising or otherwise protecting the portions for which a privilege is asserted, if such a technique does not result in disclosing the contents of the portions for which some privilege is asserted.
7. These requests for production are continuing in nature. If further information or documents come into your possession, or are brought to your attention, during preparation for trial or during trial, supplementation of your response may be required.

**FIRST REQUEST FOR PRODUCTION**

**REQUEST FOR PRODUCTION NO. 1:**

Please produce each and every document used by the Debtor to contest the real property ad valorem tax valuation regarding the Debtor's real property reflected on Schedule A from 2006 through 2010.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 2:**

Please produce each and every document review or analyzed in the purchase of the real property reflected on the Debtor's Schedule A.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 3:**

Please produce each and every document that evidences any improvement or repair made to the Debtor's real property reflected on the Debtor's Schedule A.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 4:**

Please produce each and every document reflecting the value of the Debtor's real property as reflected on Schedule A which has been insured by the Debtor since January 1, 2010.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 5:**

Please produce each and every document submitted by the Debtor to any insurance company since January 1, 2006 regarding any application for insurance or any damage to the Debtor's real property as reflected on Schedule A.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 6:**

Please produce each and every document evidencing payments to David L. Davies and/or Nicholas Limer regarding the \$158,658.50 in the buyback that each received as reflected in response to question 23 of the Debtor's Statement of Financial Affairs.

**RESPONSE:**

Please produce each and every document that evidences or reflects the \$510,667.67 loan made by the Debtor to Cypresswood Self-Storage, Ltd. as reflected in response to question 18 of Debtor's Schedule B.

**REQUEST FOR PRODUCTION NO. 7:**

Please produce each and every document reflecting the obligation of Silver Oaks Investments, LLC to the Debtor in the amount of \$287,719.95 as reflected in response to question 1 of Debtor's Schedule B.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 8:**

Please produce each and every document that authorized the Debtor to a) buyback the interests of Messrs. Davies and Limer; b) lend money to Cypresswood Self-Storage, Ltd.; and c) lend money to Silver Oaks Investment, LLC.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 9:**

Please produce true and correct copies of each and every check issued by Silver Oaks Investments, LLC to Devine as a retainer for the Cypresswood Self-Storage, Ltd. and or Pasadena bankruptcy filings.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 10:**

Please produce true and correct copies of each and every check issued by Pasadena Self-Storage, Ltd. to Devine as a retainer for the Cypresswood Self-Storage, Ltd. and or Pasadena Self-Storage, Ltd. bankruptcy filings.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 11:**

Please produce true and correct copies of each and every check issued by Cypresswood Self-Storage, Ltd. to Devine as a retainer for the Silver Oaks Investments, LLC and or Pasadena bankruptcy filings.

**RESPONSE:**

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

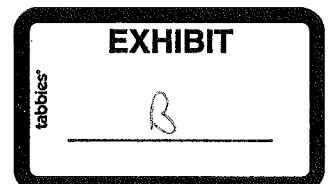
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|                                  | § |                   |
| PASADENA SELF-STORAGE, LTD.,     | § |                   |
|                                  | § |                   |
| RESPONDENT.                      | § |                   |

**DEBTOR'S FIRST OBJECTION TO  
MOVANT'S REQUEST FOR PRODUCTION OF DOCUMENTS TO  
RESPONDENT, PASADENA SELF-STORAGE, LTD.**

TO: City National Bank, by and through its attorney of record, Michael J. Durrschmidt, HIRSCH & WESTHEIMER, P.C., 700 Louisiana, Floor 25, Houston, Texas 77002

PASADENA SELF-STORAGE, LTD., ("Pasadena" or "Debtor"), through undersigned counsel, hereby objects to the Movant's Request for Production of Documents, and in support thereof, respectfully submits:

1. The Request for Production ostensibly states that it is being made pursuant to Rule 7034 of the Federal Rules of Civil Procedure. However, the Request requires that documents be produced on or before June 30, 2010, which is less than the time allowed under Fed.R.Civ.P. 7034.





2. The Request was served on June 17, 2010 by email and regular mail. Accordingly, the response date is July 20, 2010, as extended by Fed.R.Civ.P 6. Movant has not obtained Court approval nor consent of the Debtor to shorten the time period for responses.

3. Accordingly, the Debtor objects to the attempt by Movant to circumvent the rules and shorten the time period for a Response without any authority for same.

Dated: June 30, 2010.

Respectfully submitted,

By: /s/ Patrick D. Devine  
Patrick D. Devine  
State Bar No. 05662200  
Law Office of Patrick D. Devine, PC  
5120 Woodway Dr., Suite 8002  
Houston, Texas 77056  
Phone: 832-251-2722  
Fax: 713-965-9173  
Email: pdevine@pdevinelaw.com

Proposed Attorneys for the Debtor

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing document by email transmission on Michael J. Durschmidt, counsel for City National Bank, at mdurrschmidt@hirschwest.com on this 30th day of June, 2010.

/s/ Patrick D. Devine  
Patrick D. Devine

Tricia Jimenez

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**From:** Michael Durrschmidt  
**Sent:** Wednesday, September 22, 2010 10:36 AM  
**To:** 'Patrick D. Devine'  
**Subject:** Pasadena Self Storage [IWOV-HIRSCHWEST.FID294498]  
**Attachments:** image001.jpg

What about the cash collateral order?

If we do not have an agreement on the motion to lift, then I need the discovery that was served months ago on the debtor.



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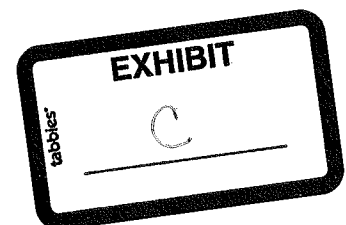
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Tricia Jimenez

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**From:** Michael Durrschmidt  
**Sent:** Saturday, September 11, 2010 1:31 PM  
**To:** 'Patrick D. Devine'  
**Subject:** Pasadena Self Storage [IWOV-HIRSCHWEST.FID294498]  
**Attachments:** image001.jpg

Sometime ago I had sent to you some discovery which was never answered. Now that the sale has fallen through I need you to get that to me ASAP. Please advise when you can have it to me



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